

REMARKS

Summary of Office Action

Claims 29-76 are pending in this application. The Examiner rejected claims 29-76 under 35 U.S.C. § 102(e) as being anticipated by LaJoie et al. U.S. Patent No. 5,850,218 (hereinafter "LaJoie").

Applicant's Reply to the Examiner's Rejections of Claims 29-76 Under 35 U.S.C. § 102(e)

The Examiner rejected claims 29-76 under 35 U.S.C. § 102(e) as being anticipated by LaJoie. Applicant has amended claims 29, 34, 37, 42, 45, 50, 53, 58, 61-67, and 69-75 and has added claims 77-106 to more particularly define the invention. No new subject matter has been added and the amendments and new claims and additions are fully supported and justified by the specification. The Examiner's rejections are respectfully traversed.

A. Claims 29, 45, and 61

Applicant's invention, as defined by amended independent claims 29, 45, and 61, relates to an interactive program guide and a method and system for using an interactive program guide to provide a user with a

subset of available channels. More particularly, the interactive program guide is capable of designating favorite channels based on user selections (e.g., in response to the user pressing a "FAV" key when tuned to a particular channel). The interactive program guide also designates preferred media types (i.e., independently from favorite channel designations) for a predetermined period of time, such as for a current viewing session. The interactive program guide may determine which media types are to be designated as preferred based on, for example, the media type associated with a channel selected by the user during the viewing session. The interactive program guide provides the user with the ability to select those favorite channels that are associated with a preferred media type. For example, the interactive program guide may display selectable program listings for favorite channels associated with preferred media types.

The Examiner contends that LaJoie anticipates all the elements of applicant's claims 29, 45, and 61. In particular, the Examiner contends that LaJoie teaches the designation of preferred media types because LaJoie allegedly shows the presence of channels of different service types and the ability to set favorite channels.

Contrary to the Examiner's contentions, applicant respectfully submits that LaJoie fails to show or suggest the designation of preferred media types as defined by applicant's claimed invention. More particularly, with respect to amended claims 29, 45, and 61, LaJoie fails to show or suggest the designation of preferred media types independently from the designation of favorite channels. Moreover, LaJoie fails to show or suggest the designation of preferred media types for a user determined period of time.

Therefore, because LaJoie fails to show every feature recited by applicant's claims 29, 45, and 61, applicant respectfully submits that claims 29, 45, and 61 are allowable over LaJoie under 35 U.S.C. § 102(e). Claims 30-36, 46-52, 62-68, 77, 79, and 81 depend from claims 29, 45, and 61 and are allowable at least because claims 29, 45, and 61 are allowable.

In view of the foregoing, applicant respectfully requests that the Examiner's rejection of claims 29, 45, and 61 and claims 30-36, 46-52, and 62-68, which depend therefrom, be withdrawn.

B. Claims 37, 53, and 69

Applicant's invention, as defined by amended independent claims 37, 53, and 69, is directed towards an interactive program guide and method and system using an interactive program guide to provide a user with a subset of available channels. More particularly, the interactive program guide is capable of designating favorite channels based on user selections (e.g., in response to the user pressing a "FAV" key when tuned to a particular channel). The interactive program guide also designates preferred media types (i.e., independently from favorite channel designations) for a user determined period of time, such as during a particular viewing session. The interactive program guide may determine which media types are to be designated as preferred based on, for example, the media type associated with a channel selected by the user during the viewing session. The interactive program guide displays to the user a single program listing for each favorite channel associated with a preferred media type.

Claims 37, 53, and 69 are allowable over LaJoie under 35 U.S.C. § 102(e) for at least the same reasons claims 29, 45, and 61 are allowable over LaJoie under 35 U.S.C. § 102(e). Claims 38-44, 53-60, 70-76, and 78,

80, and 82 depend from claims 37, 53, and 69, and are allowable at least because claims 37, 53, and 69 are allowable.

In view of the foregoing, applicant respectfully requests that the Examiner's rejection of claims 37, 53, and 69 and claims 38-44, 53-60, and 70-76, which depend therefrom, be withdrawn.

#### Conclusion

The foregoing demonstrates that claims 29-106 are allowable. This application is therefore in condition for allowance. Accordingly, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



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